



## ***Minutes – City Planning Commission***

1,888th Meeting

6:00 P.M. June 30, 2005  
COUNCIL CHAMBER, CITY HALL  
3900 MAIN STREET

**MINUTES APPROVED AS PRESENTED  
AT THE JULY 21, 2005 MEETING**

COMMISSIONERS PRESENT: Agnew, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary

COMMISSIONERS ABSENT: Brown, Kurani

STAFF PRESENT: Gutierrez, Planning Director  
Aaron, Principal Planner  
Jenkins, Principal Planner  
Brenes, Associate Planner  
Milosevic, Associate Planner  
Smith, Deputy City Attorney  
Andrade, Stenographer

**THE FOLLOWING BUSINESS WAS CONDUCTED:**

Chair Leonard called the meeting to order at 6:00 pm.

The Pledge of Allegiance was given to the Flag.

## TABLE OF CONTENTS

A.	PUBLIC HEARING - 6:00 p.m.....	3
1	PLANNING CASE P04-0178: Planning Commission review of the General Plan 2025 Program and related Final Program Environmental Impact Report (SCH NO. 2004021108). The General Plan 2025 Program consists of the following components: 1) the City of Riverside General Plan 2025; 2) the comprehensive revision of the City of Riverside Zoning Code (Title 19 of the Municipal Code) and the rezoning of properties to reflect new zone names; 3) the comprehensive revision of the City of Riverside Subdivision Code (Title 18 of the Municipal Code); 4) the Citywide Design Guidelines; and 5) the Implementation Plan. ....	3
	Article II - Items 1 - 2 and Article III – Item 3 .....	17
	Article IV – Items 4 and 5.....	17
	Theses items were skipped.....	17
	Article V.....	17
	Item 6 .....	17
	Item 7 .....	17
	This Item was skipped. ....	17
	Items 8, 9 and 10.....	18
	Item 11 .....	18
	This item was skipped.....	18
	Item 12 .....	18
	Items 13, 14 and 15.....	19
B.	ADJOURNMENT: .....	20
	The meeting was adjourned at 9:05 pm to the meeting of July 7, 2005 at 9:00 a.m. ....	20

**A. PUBLIC HEARING - 6:00 p.m.**

- 1 PLANNING CASE P04-0178: Planning Commission review of the General Plan 2025 Program and related Final Program Environmental Impact Report (SCH NO. 2004021108). The General Plan 2025 Program consists of the following components: 1) the City of Riverside General Plan 2025; 2) the comprehensive revision of the City of Riverside Zoning Code (Title 19 of the Municipal Code) and the rezoning of properties to reflect new zone names; 3) the comprehensive revision of the City of Riverside Subdivision Code (Title 18 of the Municipal Code); 4) the Citywide Design Guidelines; and 5) the Implementation Plan.

Chair Leonard called upon staff to provide the staff report and announced that the public testimony would follow after staff's presentation.

Diane Jenkins, Principal Planner, gave a PowerPoint presentation with an overview of each Article, going over the recommended changes only.

Commissioner Densmore arrived at this time.

Commissioner Densmore asked staff to clarify the rationale for the deletion of the R-2 Zone and duplexes.

Chair Leonard noted that this issue would be addressed under item 7 of the staff report.

Ms. Jenkins continued with the presentation.

She explained that the deletion of the R-2 Zone was because many of the R-2 properties, over time, have become owned absentee owners and not kept up well. She also stated that the City has a homeownership goal.

Ken Gutierrez, Planning Director, added that over time the City has experienced more problems with rental units that are owned by a variety of different people. The thought was if there are to be duplexes or an attached rental product, there are different tools available today that were not available in the past. We don't need to create a series of separate lots with separate ownerships to have duplexes; this could be better done under a Planned Residential Development (PRD) where there is common ownership, common maintenance and better screening of tenants. Staff feels this would yield a much better product, eliminating a lot of the problems with the duplexes. The Commission has heard testimony from a lot of duplex owners that have well maintained properties, he felt there was a lot of truth to this. This is one of the reasons staff has changed their recommendation so that existing duplexes are permitted in the R-1 Zone. This will not affect anyone that has a duplex today, just that in the future there is a better way of doing business.

Commissioner Densmore noted that the City cannot control ownership. The City can control how someone uses a piece property to a certain extent in the way of upkeep and code enforcement. Whether or not it is a duplex or single family dwelling or multi-family dwelling such as an apartment or PRD, he would imagine that it is a matter of code enforcement as opposed to zoning out a particular use. This is what confuses him. He stated that his concern tonight was the difference between zoning out an egregious use or perceived offense to the City as opposed to zoning out the whole use. He is listening for a rationale that applies logically and did not feel that he heard it.

Commissioner Agnew with regard to this issue, he would agree that the logic is there, although they have not seen any empirical data with regard to police reports. He felt this would build back on the second unit ordinance which he will discuss later. In that situation, the primary residence and second unit are controlled and managed

specifically by the new standards that it will be owner/occupied, at least one of the units. In the case of the R-2 Zone, this may not be true, there could be absentee owners and investors that in his mind is the distinction.

Commissioner Comer suggested, instead of throwing out the entire R-2 Zone, to change the development standards of the Zone such that it would make it difficult to do lower end development. He saw problems with people that have a current duplex, what will happen five years from now if there is a fire or earthquake and the place is destroyed. First, he thought that getting through City Hall within 180 days will not be feasible and secondly, probably they would probably not be able to rebuild to current standards. In essence, by virtue of the Code, it has been thrown out anyway even though they have the right to continue to have a duplex.

Mr. Gutierrez noted that in terms of the rebuilding, staff's recommendation of duplexes is that they are allowed in the R-1 Zone, there is no time limit to rebuild. He agreed that the structures must be rebuilt to current standards, it is a life and safety issue.

Chair Leonard asked Ms. Jenkins to continue with the presentation. He asked that staff skip Item 11 because he would like to get into a broader context of what the zones will be before getting into the minutia of what is allowed in them.

Ms. Jenkins continued with her presentation. She informed the Commission that a new recommendation was added, this was not in the staff report but comes from a recent City Council action on June 7, 2005. She stated that second dwelling units will not be permitted in the RR Zone. Currently the Incidental Uses Table shows that second dwellings are allowed. She also noted that one of the questions that came out of a workshop and Planning Commission meeting was with regard to the deletion of the HR Zone and the two areas where it currently exists. She noted that one area has CC&R's that does not permit horses. The other area includes 24 properties which are permitted to have horses but noted that it did not appear any of the property owners were taking advantage of horse keeping. At the time notices were sent, none of the property owners contacted staff about the fact that the Horse Ranch Zone was being deleted and renamed to Residential Estate.

Commissioner Densmore stated he was surprised. His felt that when doing away with a right which in this case is horse keeping, that the burden of proof is on the City to prove this is absolutely not right or that it is an egregious use. Based on that, what he has heard and read is that a review of a March 2003 aerial photograph indicates that none of the properties appear to have horses at this time. He had a great deal of difficulty with this statement.

Ms. Jenkins continued with the presentation.

Commissioner Comer asked whether, currently, a corral would be permitted in the Watercourse Overlay. He also asked if avocado trees would be allowed.

Ms. Jenkins explained that animal keeping and accessory structures are permitted provided they do not affect the carrying capacity of the particular flood way with a Conditional Use Permit (CUP) under the current and proposed Code. She also stated that under the current and proposed Code, tree crops are prohibited.

Ms. Jenkins continued with the presentation of Article VII.

She explained that under vehicle repair facilities, language needs to be added under the Major and Minor outdoor repair facilities to set up the site location and site development standards. This is due to the recent recommended change to allow the outdoor facilities. The standards have not been prepared and would be available for the Council hearings.

Commissioner Densmore inquired if the standards would affect those businesses operating by right.

Ms. Jenkins responded that it would not affect a legal outdoor facility. This would apply to any new facility.

Commissioner Norton asked if the proposal is for the Commission to direct staff to write recommendations with regard to outdoor storage and sales and whether or not the recommendations would go forward directly to the Council or return to Commission?

Ms. Jenkins stated that it would be up to the Commission's deliberation. She continued with her presentation. She noted that yard requirements under Article VIII was also new. Staff is recommending that no more than 1,000 sq.ft. of the rear yard shall be paved or 25%, whichever is less for parking purposes. A paved driveway must extend to the parking area from the public street or alley. This is to get at people parking many vehicles or using their entire backyard to park vehicles.

Commissioner Densmore stated that he had no problem with this on the face of it. He asked staff to explain what they meant by "new addition." He asked whether this circumvented any part of the public hearing process by adding something at this stage.

Ms. Jenkins explained that this was something that was not in the draft document that was released. Staff is proposing this change at this time.

Kristi Smith, Deputy City Attorney, stated that in the General Plan process, there have been many public hearings, a lot of testimony and a lot of input has gone into this. Changes have been made based on the public testimony and based on Planning Commission comments. The planning staff has always made available, at any time, any updates that are made. These are not private records and are always available to the public. These public hearings are to bring out things that have changed, may change or are recommended. She stated that changes can be made in connection with the Zoning Code, adding or deleting. The public needs to come listen and hear so that they can respond to what the Commission says or whatever is in these documents. Again, these documents are available to the public to review and staff does the best they can by sending out whatever notices they can. These are constantly updated and available to the public, there should not be any issues about changes being made. The notice does address the Zoning Code and any matters that may relate to it.

Commissioner Norton said this would be no different than after all this is passed a senate bill coming up and changes are then required. She asked whether this was mostly a house keeping item?

Ms. Smith agreed and if there are State matters that come down, those changes must be made to comply with State Law.

Commissioner Comer asked if someone could currently pave the entire back yard and park as many cars as they could possibly fit? He said that for the purposes of determining 1,000 sq.ft. or 25% of the rear yard area, someone who was going to park a bunch of cars in their backyard, probably wouldn't care if the area was paved or not. He sees what staff is trying to accomplish but he did not feel this was the appropriate way to accomplish this.

Ms. Jenkins explained that under the existing Code today, the Code is silent on the topic, it is not clear.

Mr. Gutierrez stated that his point was well taken but the intent was that those cars could only be stored on paved areas. Staff could make that correction if the Commission decides to go forward with this provision.

Commissioner Comer stated that this needed to be thought through further than it is today. He asked staff to go through the rationale again with regard to multi-family dwelling issue.

Ms. Jenkins stated that with regard to the requirement for a fence or secured complex with coded gates, this would apply to new apartments or student housing complexes. The Police Department has found that there seems to be a greater incidence of car thefts in apartment complexes which is why they would like to see it fenced or secured. The coded gates help the Police Department because they also get a code so that they can get in and out and helps to secure the complex.

Commissioner Densmore stated he did not necessarily have a problem with the new addition for the recommended pavement. The comments Commissioner Comer stated bear true. His point is that they have struggled since the first hearing to maintain an atmosphere of openness and inclusion. In a formalized process, this is often difficult where you have such a large community and there are so many changes. He isn't saying this is good or bad but this could easily have been the result of code enforcement driving around yesterday and looking at five duplexes that were run down. It is not so much the item but the addition at the late date and the perception that it might have been snuck in.

Ms. Jenkins stated as a matter of information that this particular item and all of the items she has reviewed have been in the staff report released on June 2, 2005.

Commissioner Singletary referred back to multi-family item. He stated that he did not find it a problem to include fencing and gates. He noted that the City has apartments with and without gates and there is the same amount of vandalism. It does cause liability issues for tenants who believe that the City has now provided them with a secure feeling. They could turn around and sue the City because the complex was not secured to the degree possible. There are lawsuits out there and it is a nice warm fuzzy feeling but the same vandalism and car thefts go on as they do with other sites.

Ms. Jenkins continued with the presentation.

She explained a new change, #49, with regard to density, which would add an exception that the density cannot be transferred onto RC or RA-5 Zoned properties. Also, at the City Council meeting of June 14, 2005, there was much discussion regarding multi-tenant indoor sales centers. She noted that the proposed Zoning Code recommends a prohibition of these particular sales centers.

Commissioner Comer asked staff to elaborate on the density transfer issue.

Ms. Jenkins noted that the staff report includes the exact paragraph from the Zoning Code, 19.78.050. The only line that has been changed is highlighted.

Ms. Smith pointed out that PRDs are not currently allowed in the RA-5 Zone which comes from Measure C and Prop R. The density transfer is in the PRD provision of the Zoning Code. It is staff's intent to make this clear, which is why the portion with regard to RA-5 is there. She stated that it was the City Attorney's opinion that a density transfer cannot be made from any other residentially zoned property onto the RC property. There is no prohibition of transferring or clustering RC on RC land but they do not believe that transferring density from the R-1-65 onto the RC Zone can be permitted. This language is specifically included so that there is no question or doubt about it.

Commissioner Comer asked why parolees were not listed under the group housing.

Ms. Jenkins explained that probationer/parolees are not a group home, they are their own definition. They are one of the types of homes the City can regulate, six or fewer.

Chair Leonard noted that Item 14 was a request from the Greater Riverside Chambers of Commerce to recommend greater height in the Mixed Use Urban Zone, can this still be achieved through a variance if findings can be made.

Ms. Jenkins responded affirmatively.

Commissioner Sebelia asked whether this could also be changed through a Specific Plan whenever a particular project came up.

Ms. Jenkins stated that it could be done. Staff is considering greater densities and height along the Magnolia Avenue Corridor be incorporated in the Magnolia Avenue Specific Plan.

Commissioner Agnew pointed out that staff mentioned that the new Senate Bill would change the density bonus element. The whole purpose of this is for affordable housing. They have created a bill and sent it to the Cities to create affordable housing. The City of Riverside is developing standards that fit Riverside to allow affordable housing. He brought this up in that the items that have just been reviewed are items that are up for change. To the second unit Ordinance 19.04.80, he wanted clarification because there are a set of standards for allowing second units. On item S, indicates a second unit can be done in a zone that doesn't have 10,000 sq.ft. as a discretionary approval. He asked whether this would go before Planning Commission.

Ms. Jenkins stated that this would be a minor Conditional Use Permit (CUP). The section should really say minor CUP because most people don't know what a discretionary permit is.

Commissioner Agnew said that the language should be included. The City has taken the bill and is implementing a second unit dwelling ordinance but the standards appear to be difficult to meet, which means there won't be many. It would appear the City is not doing a good job. To eliminate a second unit or the R-2 creates additional problems. He understands the logic with regard to the management of the property. He wanted to understand that at least there is an option for people that want to do a second unit that doesn't meet all of these regulations whether CUP or minor CUP. It looks like it can be done but it looks like a significant hurdle.

Ms. Smith spoke regarding Commissioner Agnew's comments. The whole purpose behind developing standards in the Code is that if the City does nothing, when this bill was enacted the City would basically have them wherever anyone wanted to put them without any restrictions. If the City did not adopt its own Ordinance and standards, the State was very liberal about what can be done. The City wanted to have control over second units and it is one of the reasons this is included.

Chair Leonard opened the public hearing for testimony on any Zoning matter.

Michael Fredrick, 6110 Jurupa, owner of Driscoll Automotives, stated he would prefer to retain the M-1 Zoning. If the City must continue with the changes, he would prefer I-Industrial.

Kimberly Sparkman, Sparkman's Garage, 5958 Jasmine Street, noted that 19.55, mechanical/equipment screening standards was missing. She found it funny that the Commission would vote on something that isn't written yet.

Commissioner Norton noted that mechanical screening refers to air conditioners, etc. on top of buildings. She asked staff to clarify this.

Ms. Jenkins replied affirmatively. She stated that it would be air conditioning units, condensers, etc. roof mounted or visible from the street.

Ms. Sparkman asked about air compressors.

Ms. Jenkins replied that it would apply if visible from the street.

Ms. Sparkman referred to Site X which was approved for I-Industrial. She asked the Commission to keep in mind that the residential homes that are there are currently zoned Business Manufacturing Park. The only thing that is accomplished by making it Industrial is an up-zoning. She agreed with the Commission's decision in that it is an industrial area. This will provide business owners more land use opportunities. The issue regarding Toro's use in an Industrial area, she noted that Business Manufacturing Park has limited uses and Industrial has more uses. Obviously, it is Industrial, it opens up the uses for business which would improve the property value. She also commented regarding the paving issue. She has been cited for having her customers parked in her field. She has laid gravel which isn't in the current zone. The big thing is to pave everyone's parking lot but keep in mind they have a gross vehicle weight of over 10,000 lbs which can no longer park anywhere in the City except for designated areas. They have purposefully purchased a lot to park vehicles and which they may sell in the future. It would be silly to pave or asphalt this and turn around and rip it up to sell the property. She stated that she would prefer to remain M-1 but stated that I-Industrial is preferable if it must change.

Commissioner Densmore asked if there was any verbiage available as to what are the mechanicals and equipment are and the screening pertaining to this. He asked if someone is legal in a particular area and has a roof mounted air conditioner, it would or would not apply to them?

Mr. Gutierrez stated that this would apply only to new structures. The whole idea of mechanical screening is something that has been a standard condition for design review for 25 years. Instead of being a design guideline or standard condition in reports, this codifies it and lets people know what the requirements are.

Commissioner Densmore stated that this is the point where the Commission pushes yes or no. He is nervous because he is trying in his mind to go through all the testimony and the possible ramifications. Although it sounds like a good idea, he does not want to hear after the fact that by saying yes to a particular thing he actually put somebody in business at a financial loss.

Chair Leonard stated that he did not believe the Commission would take final action on the Zoning Code. He said that the criteria would be a catch up item.

Commissioner Norton pointed out that Item 31, with regard to the 1,000 sq.ft. in the rear yard referred to residential only.

Mr. Gutierrez stated that the intent was residential. He noted that for businesses and industrial uses, paving is already a requirement. It says all parking areas must be paved but did not currently apply to residential.

Ms. Sparkman stated that gravel is part of the current Code for paving. She did not understand how a citation could be issued for gravel. She noted that she went to the Planning Department when she was cited several years ago and was given a piece of paper, which she still has to this date. One of the things it says is that asphalt, concrete or gravel is a requirement for paving.



Chair Leonard stated that this would be a debate that should go on in a different setting. He wanted to make a clarification with regard to Article VIII. This is a residential based Article. There is one reference to commercial, which is a prohibition to commercial uses on residential properties.

Jeff McGinn, President and Managing Partner of Standard Lime Products, LLC located at 5877 Griffith Street. The original proposal for his site was Manufacturing Park, it is staff's current proposal that their site be I-Industrial. He is pleased about this recommendation but would still prefer to remain M-1. They have enjoyed their stay in Riverside and would like to remain here. He felt that M-1 was easier for outsiders to understand. He thanked staff and the Commission for their time on this proposal.

Bryan Percy spoke on behalf of Standard Lime Products and Driscoll Automotive. He offered a belated thank you for accommodating and handling a particular item out of order at a previous meeting. He also addressed Commissioner Densmore's comment with respect to late additions and the notice issue. He felt this was well taken and understood counsel's opinion with respect to provisions in the language allowing for changes. He noted that there is a difference between a change on the fly based on discussion from the public to the Commission or a commissioner initiated change versus a staff initiated change.

Chair Leonard commented that one of the provisions built into the General Plan was a recognition that this likely is not going to be a process of perfection. The Commission added a clause to allow up to four General Plan amendments that the City would initiate to make corrections over the next year or so. He would expect that this would emerge on the Zoning too. They are cognizant of this and wanted to make sure there was some flexibility to catch up with this.

Mr. Percy commented on the rear yard paving which is directed toward residential. There are certain areas in the City, particularly downtown, where the residences are used for business purposes. Some of these businesses have backyards which have been paved for parking lots.

Commissioner Norton noted that the Downtown Specific Plan or any specific plan will prevail over the Zoning Code.

Mr. Percy addressed the issues on sites F, M and X. The Commission has heard from both of his clients regarding their desire to remain M-1 as opposed to I-Industrial. Industrial is the second best alternative. Staff is trying to condense the various M-uses into one to simplify things. An unintended consequence, however, the opportunity has been opened for adult oriented business to come into areas that previously did not have that opportunity. With respect to the incidental uses, Standard Lime, the issue relates to having a caretaker residence. There are large businesses that have caretakers on site to make sure the place is safe and secure 24 hours a day. Under the current M-1 zoning, a caretaker residence is permitted. One of the changes as it is proposed, an incidental use under Industrial requires a minor CUP. Again, this is something that now requires a CUP and is something that should be considered. He echoed his client's comments in that for many of these property owners, this is their investment, nest egg, and retirement. They have a vested interest to ensure that high value stays there.

Elizabeth Frances, business and property owner at 3909, 3917, 3915 Van Buren and also a home on Hayes, addressed the Commission. She had several questions. She asked what the exact legal description is of "Multi-Village Use". In her case it will be a devaluing of her property value and would allow only retail or something of a sales tax venue located on the property. She asked what the definition of discretionary permit was and at whose discretion would the approval to open a dental/medical office in the City of Riverside would be. How many properties within a 5-7 mile radius of her existing properties at Van Buren and Hayes will still be zoned to permit a dental/medical office as a matter of right with a need for discretionary permit? How many properties or percentage of properties will be allowed to be for dental/medical offices to open or relocate within a 5-7 mile

radius of her existing properties on Van Buren and Hayes under a discretionary approval? Who is actually going to be the discretionary advisory panel? When does the Overlay come into effect and how does it come into play with Multi-Village Use Zoning? Whose discretion gives the approval for overlapping?

Chair Leonard stated that there are some questions that can be addressed tonight but that other questions could not be addressed.

Commissioner Comer asked Ms. Frances to make an appointment with Ken Gutierrez, Planning Director, so that all of her questions could be addressed. The Commission does not have the capabilities to answer all of her questions at this time.

Ms. Frances stated that this was a public hearing and her questions did affect other properties. She asked why she was being shut out. She felt that the rezoning going on was changing it so that she could not return to her own community.

Chair Leonard commented that she has raised three questions that staff can immediately address tonight which is the definition of Mixed-Use Village, what discretionary action is and who can take discretionary action. The other questions will require a meeting between her and staff. Staff will need to show her where the Overlay Zones are as well.

Ms. Jenkins explained that the proposed Mixed Use Village Zone would be a vertical mixed-use of both commercial and office on the first floor with residential on the 2<sup>nd</sup> and 3<sup>rd</sup> floor. It is a 2-3 story type project and this would apply to new projects coming into the City of Riverside. She stated that staff is not proposing the Mixed-Use Village Zone on any properties at this time. Staff is proposing the Mixed-Use Village General Plan designation on properties but not the Zone.

Ms. Frances stated that the notice did not state that and this was their concern.

Chair Leonard noted that it may have been confusing but the Zoning is not changing if it is a mixed use General Plan designation.

Ms. Jenkins reiterated that the General Plan designation is possibly changing to Mixed Use Village but not the zoning. The Zoning will be changed at such time that the property owner requests it.

Ms. Frances asked if the property owner requests it or if they are out for three months while the City is widening Van Buren. She asked if they can stay where they are at, at their own discretion.

Ms. Jenkins reiterated that the property owner would make the request.

Mr. Gutierrez offered to sit down with Ms. Frances to review exactly what properties are being referred to. He is afraid that there may be some confusion and it would be better to meet. Staff can answer in generalities but in order to deal with specifics, staff needs more information. He did not know off hand how the property is being changed or where exactly the property is. What he can say is exactly as Ms. Jenkins said, staff is not applying the Mixed Use Zone. This will be a separate action that will typically be property owner requested. Staff is setting up this process so that it can happen.

Ms. Frances asked if this was going to be in the new master plan. When you read the master plan it does not state that.

Mr. Gutierrez agreed that the General Plan that has been approved by the Planning Commission has put into place three different mixed use land use designations. Those are General Plan designations, staff is not proposing to rezone people's property. He repeated that they would need to sit down and discuss the difference between the General Plan and Zoning and how it affects her property. He stated that discretionary permits are permits that require some kind of action by an approving body, Zoning Administrator, Planning Commission or City Council. He stated that an example of a discretionary permit would be a conditional use permit.

Ms. Frances asked what would really be for a medical/dental office if she has to go in front of City Council.

Mr. Gutierrez referred to the Zoning Code, Table of Permitted Uses and noted that medical and dental offices are permitted uses in Office and Commercial Zones. They do require discretionary approval, minor conditional use permit, in some of the Industrial Zones.

Chair Leonard pointed out that when Ms. Frances meets with staff and look at the Zone on her property, they can specifically tell her what the requirements will be.

Ms. Frances stated that when she and her legal counsel reviewed the documentation, it was not clear. What is taking place now, they are designing a Truman Show type of a City where it is perfect. She is concerned that they will only allow so many medical/dental offices because they have to make their revenue back on this new Redevelopment Area.

Yolanda Garland, resident of La Sierra, stated she was speaking only with regard to La Sierra and Arlanza and the 7,000 properties that received letters notifying them of the rezoning of their properties. She did not profess to understand all the proposed changes or even what some staff say. Her property is out of the Redevelopment Project Area and is not one of the 7,000 properties scheduled to be rezoned yet. Never in her life has she witnessed so much anguish perpetrated upon communities by those who took a vow to serve in the best interest of their constituents. She stated that thousands of homes proposed to be rezoned from rural to residential is not and will never be in the best interest of anyone whose property is targeted.

Rosalina Grisco, Grisco's Kennel, stated that she would prefer her property to remain M-1. She currently has a caretaker residence on her property and does not need a permit. She noted that if BMP is approved the caretaker residence would not be permitted.

Chair Leonard asked staff whether existing caretaker facilities would be nonconforming.

Ms. Jenkins agreed that nonconforming rights would apply to legally established facilities. If the proposal is approved it would require a conditional use permit, however, if it was legally created it would become nonconforming. It would still be a legal use and the property could be sold. The new owner would still have a legal nonconforming use.

Perry Chastain, 4105 and 4109 Harrison Street, voiced his opposition to the elimination of the R-2 Zone. He stated that for the last several weeks many people have voiced their opposition. As a result, several points about R-2 properties have been made: R-2 Zone properties are affordable housing opportunities; many of the R-2 properties are owner/occupied; the elimination of the R-2 Zone would dilute the property values and as a result hurt City revenues. He asked why eliminate something that the City needs. He pointed out that there are absentee owners on all kind of properties in Riverside. This proposed elimination will lead to confusion and if this passes the property owners will always describe their property, zoned R-1 "but" has the rights of R-2. This proposal limitation is arbitrary and not one good reason has been presented to the Commission to justify the Zoning change. He pointed out that problem properties of all zoning categories should be a code enforcement issue.

Commissioner Densmore asked what the 7,000 properties Ms. Garland was referring to was. He asked if Grisco's Kennel was off Jurupa where the Commission dealt with the General Plan designation and will now look at how it is to be zoned.

Mr. Gutierrez replied affirmatively. He stated this gets into the Zoning and also the Incidental Use Table where the Commission may choose to allow the caretaker's dwelling units as a matter of right rather than with a minor CUP. He thought that Ms. Garland may be referring to the Redevelopment Project Area that is being proposed in La Sierra.

Commissioner Densmore stated, before closing the public hearing, there were a couple questions that were brought up with regard to last minute additions. He asked the Commission if they were comfortable to close the public hearing on those items or is there somehow these items could be kept open. There have been instances where he has benefited from the public's comments.

Commissioner Norton pointed out that although the public hearing is closed, discussions are not being closed on any item. The Commission may ask for information or clarifications from staff at any time. When it comes to deliberating on any item, the Commission has a lot of options.

Ms. Smith stated that the Commission has the option of reopening the public hearing.

There was no one else present to speak, the public hearing was officially closed.

*The Commission took a ten minute break.*

Chair Leonard announced that the Commission would do a general overview of the Zoning Code and what they would like to see and from there act on the revisions staff is recommending to the structure of the Code. Following this the Commission would then take up each of the Articles for individual action followed by action on the individual zoning requests staff is recommending. The reason he suggested this is that it might be useful to understand what zones will be in place and what they will permit or not permit before the Commission acts on the individual requests.

Commissioner Densmore stated he was going to ask that the Commission take up the Jurupa area item out of order because these citizens have been very faithful in attending the meetings. He agreed that it would be inappropriate to take this out of order until the Commission has had the opportunity to discuss what Zones will remain. He asked for the citizen's indulgence.

He stated that he has made his concerns clear when the General Plan deliberations began. His concern is that in a zeal to do good, he will step on someone's toes who is already doing good in the City of Riverside. He has been diligent in taking notes and listening to staff's argument. What he is trying to find is a balance between where the City is, the rights and lifestyles of the people who brought it this far and where the City wants to go. He stated he is struggling with some of the rationale to remove the zones such as R-2, HR and M-2. He understands that M-2 has egregious uses but he has previously requested to see such a list of egregious uses. Perhaps the Commission could go through the existing Zones and remove those uses, would this be a better answer than to eliminate entire Zones? This deliberation over the Zones and the uses within is an excellent recommendation. He stated he did not agree with the rationale for the R-2 Zone elimination. He stated he would look forward to listening to his fellow commissioners.

Commissioner Comer recalled that when the issue of R-2 first came forward there were many property owners present representing the R-2 issue. There are code compliance issues with landlord rental type situations which

appear to reflect more on the single family derelict properties. As it relates to item 31 received tonight, this is more of a code enforcement issue than a Zoning Code issue. This is designed for people parking cars in their yard and this may not be right forum for it. In the Industrial Zoned properties, currently there is an underlying General Plan category with an overlay of this which is Zoning and enforcement of those categories. Rather than throw out the whole Zoning Code for the industrial categories, he would like to see it left alone and modified. By changing the Zoning categories as presented, it is eliminating or restricting people's rights that they currently have. He thought that by focusing on the egregious uses but continuing the current zoning categories it would allow things to move forward. He thought that by and large the body of work before the Commission is a real good body of work with a lot of positive things. The items he personally has problems with are the items where it carte blanche removes people's rights that they currently have.

Chair Leonard said that when the Commission gets to the R-2 Zone deliberations, he would offer a spirited counterpoint on the issue. He felt that duplexes are accommodated under other sections of the Code. He stated that there are very interesting view points on both sides of the question of retaining the M-1 and M-2 Zones. It is a mountain of information to digest in order to understand the intricacies of this. He invited staff to speak up and share their viewpoints during these deliberations. The Commission will come up with the best approach they can for the City but he does not want to lose the forest for the trees.

Commissioner Sebelia said he viewed things differently than what he has heard from some of his fellow commissioners. When he sees areas recommended by staff for BMP instead of I, he doesn't get the same feeling that the City is telling the people with the I Zoning that the City does not want them or doesn't appreciate them. When the General Plan started, consultants were hired and visions were set. What bothers him is that all this is similar to a game of pool, when you hit one ball the whole table changes. If the Commission starts picking apart the areas, a lot of work has gone into this discussion in thinking of I and M-1 and BMP, that by the Commission micromanaging this, he thought they were taking away a lot of the vision, consulting, plans and where the City is trying to go. He doesn't look at the people in the Jurupa as being anything but a great asset to the City. He doesn't look at bringing BMP to the area as saying they don't like what has been done, it is something that is needed and allows for large scale employers and allows the city to control traffic better, in general a better control of land use. He stated he would vote to go along with staff's recommendation on almost all cases, apparently, against some of the wishes of his fellow commissioners but this is the overall thing he thinks is happening. The Commission should look at everything in its entirety. People are not being hurt, a nonconforming use is certainly not something they had before but he felt it was something that reasonable, intelligent people would learn to implement in their own property plans.

Commissioner Densmore stated he appreciated Commissioner Sebelia's perspective, in his short tenure, he has added interesting points. He asked Commissioner Sebelia to expand on his comments as to whether or not someone who had a legal right on a piece of property prior has the same advantages in their use and disposition of the property if they now have a nonconforming use. He stated that the nonconforming issue is the key.

Commissioner Sebelia responded that he did not view this as onerous as Commissioner Densmore. He did not mean this in a flippant way but through the years things change, times change and visions change. Everyone experiences this in their personal life as well as professional/business and property lives. The fact that someone has a nonconforming use, he believes does not limit it to the extent implied. As times change, people adapt to the different situations. The vision of the consultants and staff is that this area needs to go to BMP. There are a lot of ifs, ands, and buts in this world and he felt that this plan would work for the betterment of the City. He had a great deal of faith, that these people will roll up their sleeves and will find out that they can live with this and in fact in some cases may be better, can't say that it won't.

Commissioner Densmore thanked Commissioner Sebelia. The reason he wished the audience present on the first night was here is that the deliberations will shed all concerns that the Commission is anyone's pocket or

hasn't been listening. While they may not agree on all points, it isn't arguable that the Commission hasn't listened and isn't trying to do their best. He reminded his fellow commissioners that the Zoning and General Plan do have a great deal to do with the visioning of where this City needs to go. He stated that the visioning process at the very most included 600 people. He would like to know who those people were because that would provide a cross check on exactly where that vision is coming from. He isn't saying that the process was not legitimate or even statistically accurate but the point is that a City of this magnitude, 600 people is really a small number. During the process, once again they hear from people that are very loud and very concerned, do those people necessarily represent the whole City, maybe not. If the commissioners go back over their notes, they have heard from some people several times and heard from a whole bunch of people not at all. He would lean on the fact that he would trust a person who has lived, worked and added to this City more than a consultant, to a certain extent. He said he did not have a problem reaching some sort of a reasonable compromise to get this City to the future of a greater Riverside but he doesn't want to step on the toes of someone who has brought the City this far. He stated he would be very cautious as to who he listens to and hopes other commissioners chime in because this is the time where he wants to hear how they have synthesized what they have learned over the last several months during the public testimony.

Commissioner Sebelia agreed that the people of the City know where the City should go. With regard to the 600 people, he noted that in any organization, business or family, 10% of the people do 90% of the work. These good folks that have come here continually do deserve to be heard and are carrying the load for a lot of other people. That having been said, he did not believe their rights are being taken away. A good compromise is a legal nonconforming use, these people can keep what they have. For example, he has great faith that if Mrs. Sparkman's business burned down and it took her longer than 180 days or whatever the Code says to rebuild it and she came before the this body, his guess would be that they would allow her to rebuild that garage. The Commission has the right to do this. The Commission are not bad people and will do the right thing as will those sitting on the Commission long after the current members are gone. This is the compromise that Commissioner Densmore is looking for, its there.

Mr. Gutierrez stated that he appreciated the Commission's spirited dialogue. It is something that staff also went through in their deliberations. Focusing in on the industrial zones for a moment, a general premise staff used as a guiding principle in the development of the Zoning Code is that they want Riverside to be a quality City by raising the bar in terms of how the City looks, functions, lives, etc. The idea of a quality City was one of those guiding principles rather than keeping the status quo or building to the way an area is today. Staff was looking at how to make it better for the future. Staff has noticed that over time those permitted uses in the industrial zones have slid and the lines are blurred. When the MP Zone was first established it was the industrial park and it wasn't envisioned to allow some of the manufacturing uses allowed today. The Industrial Zone allowed the standard industrial businesses and manufacturing uses and the M-2 Zone allowed the heaviest of those industrial uses. He noted that the location of the current M-2 Zones today, for the most part, are in the heart of the City with the exception of a little out by the airport. At the time the M-2 Zone was established, this was not the heart of the City it was the industrial area outside the downtown which shows how long it has been since those Zones have been revisited. Over time the land uses have changed and the difference between the permitted uses in M-1, MP and to some degree M-2 have become imperceptible. As staff reviewed this, the three designations were splitting the line and was a distinction without a difference. This was one of the reasons staff recommended to collapse those Zones into two industrial zones. The main difference between them now is not as much the land uses permitted because there are recommended performance standards which will provide the quality. The land uses are quite similar with some notable exceptions but it has to do with the design standards, outdoor storage screening requirements and setbacks in particular that are the big difference between the BMP (formerly MP) and the I Zone. The M-2 Zone does propose to removing the more egregious uses, again raising the bar trying to create a higher quality City. The other side to this is that the M-2 Zone allows any use that is not otherwise prohibited so there is this mismatch of uses which cannibalizes the other zones when you allow the retention of uses in an area that might not otherwise be good. He stated that these were the reasons staff came up with the

two Industrial Zones. With regard to the names, as staff has indicated before, the recommended name changes were for clarity, to help people understand the difference. He noted that for someone who is not familiar with the City, it becomes more descriptive of what that Zone really is.

Commissioner Comer referred back to the nonconforming rights issue, the goal in the General Plan is listed as trying to eliminate the nonconforming uses in the community. He noted that the statement was contradictory because the proposal would rezone everyone and give them nonconforming rights but by the same token, the goal is to take these rights away.

Mr. Gutierrez agreed that this was an intent statement in the Zoning Code but that over time they would go away. He stated that it was a matter of degree because staff has tried very hard to minimize the uses that will become nonconforming. Staff believes they have done a fairly reasonable job of minimizing those and is not actively trying to eliminate those nonconforming uses.

Commissioner Comer said he has spent his adult career selling and leasing warehouse buildings, primarily in Riverside. He sees a lot of properties that currently have a whole array of uses that can be done. His view is in conflict with his fellow commissioner in that he does feel it will create conflict and problems for many current property owners. He is fearful of causing some economic blight as a result of changing and disallowing a lot of uses on properties.

Mr. Gutierrez stated he respected the Commission's opinions. He mentioned that, again part of his belief with the industrial zones being proposed today is that there may be some uses that would be nonconforming but submitted that there is probably an equal number if not more uses that would be allowed in those industrial zones. He thought staff has been trying to expand the number of uses that are permitted and provide greater flexibility rather than constrict them, although there will be some that will be nonconforming.

Chair Leonard also addressed nonconforming rights. He stated his interpretation of the Ordinance as written, is that as nonconforming rights cease over a period of time, it is geared toward a voluntary act on the property owner who desires to get a higher and better return or use off their property than what the nonconforming use would have been. This is the direction and he did not have a problem with nonconforming status but would hope and look for ways that his would be more of a voluntary action rather than involuntary. He thought this was the direction although it may be that is hard to gauge at this time, it is something he would be watching for during the deliberations.

Commissioner Densmore said he found this to be a healthy exchange at this point in time. Staff may have made these comments in the beginning but at that point they had not gone through the mound of material or public testimony. The Commission is hearing the rationalizations that are falling on a basis for which they have to make a judgment. He felt that everyone was saying the same thing to a certain extent. It is not the nomenclature that is the problem, it is what has been allowed by the changes. He understands things change but it isn't necessary to do away with the entire Zone when you can remove the uses in a particular area that are no longer acceptable to the majority of the people in the City. His question to staff would be why, when they looked at the Zones, they didn't just bring out those egregious uses and put those on the table instead of confusing a whole bunch of folks who had nothing to do with these uses but just happened to be in the same Zone?

Mr. Gutierrez noted that the discussion was really referring to the M-2 Zone since that is the one proposed to be eliminated. Staff's position is that the lines between them are blurred so much and that the distinctions are so minimal in terms of land uses. If the most egregious uses were eliminated, along with some of the commercial uses that aren't appropriate in an industrial area, there isn't much difference between any of the Zones in terms of permitted land uses. The big difference has to do with the development standards and setbacks. The M-2

Zone has no current setbacks and if these are added then it is pretty much like the M-1 Zone, there is no distinction. By collapsing those Zones staff is creating two Zones that are similar in terms of land uses with a distinction in terms of development standards but include a third category and that distinction becomes minimal and almost not worthy of having a third designation. He added that it is difficult to administer Zones that do not have a whole lot of distinction between them.

Commissioner Densmore indicated staff is admitting that there is a process. Staff's approach is suggesting to do away with a Zone and create a new one. The rationale is to create nonconforming uses but he is suggesting to keep the uses legal just do away with egregious uses. It appears they would arrive at the same end although the distinctions between the Zones would be blurred, he pointed out that a blurr hurts less people. He felt it was just a matter of approach.

Commissioner Sebelia said that something he tries to remember when he reviews this plan is that when he goes through the documents the people had three basic concerns, traffic, traffic, and traffic. The major battle has probably been lost but that doesn't mean they cannot continue to fight smaller battles. In the way he looks at the General Plan, this has been laid out to the best of everyone's ability to establish arterials, traffic patterns and things that can hopefully be better managed in the future than they are now. If the Commission starts changing things around, they start messing with that. It was not his intent that some people sacrifice lives for the Plan because he did not believe they would be. This Plan does solve a lot of future traffic issues and staff has done an admirable job.

Commissioner Densmore agreed that traffic is a major item but his read of the documents indicate that traffic is not the only concern. He could not image that a City would base its vision on managing traffic.

Chair Leonard pointed out that these were General Plan issues and that portion has been completed. He asked that the Commission focus on the Zoning issues.

Chair Leonard stated that one thing he would gravitate to is retention and enhancement of property values not just from the property owners prospective, being able to use their property in a way that derives the enjoyment benefit they have but also watching out on behalf of their neighbor and the effect of those uses that tend to run down the neighborhood and property values.

He noted the time and asked if the Commission would want to go through some of the house cleaning items in the staff report or defer all actions to the next meeting.

Commissioner Densmore said he would have liked to take the R-2 and the Jurupa area out of order. He offered two options, to either take the Jurupa area out of order and relieve them of the need to return or take up the R-2.

Chair Leonard stated he be against those suggestions because they do not know what Zones are going to be applied.

Commissioner Comer suggested that they go through the house keeping issues.



## **Article II - Items 1 - 2 and Article III – Item 3**

Chair Leonard noted that the first two items were just definitions of the Planning Commission. Item 3 is the definition of nonconforming rights which retains these rights under the current procedure.

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Norton, **TO APPROVE** Items 1 and 2 of Article II and Item 3 of Article III, as outlined in the staff report.

Commissioner Densmore pointed out that the nonconforming rights were changed back to 180 days not 90 days.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Kurani

## **Article IV – Items 4 and 5**

Theses items were skipped.

## **Article V**

### **Item 6**

Chair Leonard announced that Item 6 dealt with the definition of front porches.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Norton, **TO APPROVE** Item 6 of Article V as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Kurani

### **Item 7**

This Item was skipped.

## Items 8, 9 and 10

Chair Leonard announced that Item 8 was the open space standards for multiple family. Item 9 adds a paragraph for cursory review of building elevations. Item 10 is moving the definition of Mixed Use to a different Article.

Commissioner Densmore asked if the open space that would be required under this proposal for R-3 and R-4 to 500 sq.ft. per unit was consistent all the other open space requirements being imposed or only a specific type of development. In any way shape or form is this an unreasonable burden on a duplex?

Ms. Jenkins stated that this was proposed for R-3 and R-4 only, multifamily but would be similar. She explained that currently under the existing Code the calculations are made per bedroom units. The proposal is to calculate the open space requirement per unit not per bedroom. Overall, the open space requirements remain about the same.

Mr. Gutierrez stated that the big difference has to do with the 3-bedroom units. Currently the Code requires 250 sq.ft. per bedroom so that for a 2-bedroom unit 500 sq.ft. is exactly what is being proposed. If there is a 3-bedroom unit it jumps up to 500 sq.ft. per bedroom, 1500 sq.ft. Staff's experience has been that this is fairly onerous and Riverside is one of the few cities that has this requirement which is difficult to meet. He stated that this would not be a burden on the R-2 Zone because it was identified for the R-3 and R-4 only.

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Comer, **TO APPROVE** Items 8, 9 and 10 of Article V as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Kurani

## Item 11

This item was skipped.

## Item 12

Chair Leonard announced that Item 12 was the amendment of the Incidental Uses Table: animal keeping, outdoor display and sales, Outdoor Storage, Outdoor Sales, display and storage, and Rental of Rooms. He read the changes out loud.

Commissioner Norton asked for clarification on the changes under Item 12.

Ms. Jenkins explained that under Item 12, these are recommended changes to the Incidental Uses Tables as it currently appears in the Draft Zoning Code. The deletion of second units in the RR Zone is proposed to be added to the list on page 12.

Commissioner Densmore asked if this was a change to what the Commission threw out within the first couple of weeks of public hearings.

Ms. Jenkins replied that this reflects that change.

Mr. Gutierrez stated that it was worded funny because it follows the format in the Code. There is no change to what exists today. He stated that to make things clear, at some point in the future, when this process is done, staff will return and discuss the RV and domestic animal issues.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Norton, **TO APPROVE** Item 12 of Article V as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Kurani

Items 13, 14 and 15

Commissioner Densmore noted that this is the section that indicates the Zones that are to be deleted. He reiterated that in the testimony that the City was providing, he was unconvinced of the reasoning to delete the HR Zone. To him it is not so much that this particular piece of property is currently using their rights to keep large animals, it is whether or not they are reducing the total number of lots in the City that can use their lots for large animals. He was looking for a good argument but the reference in the staff report to an aerial dated March 2003 was not enough. He asked if CC&R's could be changed. Whether one agrees with large animal keeping or not, it brings a certain ambiance to a town to say that animal keeping is still allowed in some areas. He stated he did not want to delete the HR.

Mr. Gutierrez replied that those were private CC&R's, the City cannot change them but the residents could. He gave a little background as to why staff was making this recommendation. He stated that there were only two areas in town with the HR Zone. One area is restricted by Covenant, they can't have animals and if you see the homes, they aren't going to have animals. The other area is 24 lots on Ruth Way. The 24 lots are surrounded by ½ acre lots and to the west there are relatively new homes which cannot have animals. This is an isolated pocket of HR. If the majority of people do not have animals now, he would submit that to allow these lots to have animals would be a compatibility problem with all the surrounding properties that cannot have animals. It is very different than the RR Zone where it is a large enclave of animal keeping such as La Sierra. The HR Zone is a zone that existed before the RR Zone was established.

Commissioner Comer noted that there were many properties in the immediate vicinity of Ruth Way where he knows they have animal keeping. He also noted that at the corner of Washington and Bradley there is a riding arena to teach kids how to ride. This is in very close proximity to current animal keeping and there is good access to the trails.

Commissioner Sebelia stated that he built a tract to the south in County which was annexed into the City. When he annexed the tract to the City he was asked not to bring a zoning in that allowed horses. The only reason

there aren't horses south of Berry is because he was asked not too, it is conceivable that there could have been horse property there. He agreed with the two previous Commissioners to retain the HR Zone.

Commissioner Singletary stated that the Riverside Rancheros have been there longer than many of these homes and is in close proximity to these 24 lots. The residents on Ruth Way may have purchased the property because it is horse property, they may not have horses but they have the right. He stated he was in agreement with the other Commissioners and leave the area HR Zone.

Chair Leonard stated that the justifications by staff are overwhelming, there are CC&Rs prohibiting animal keeping. He did not believe the residents will remove their pools and tennis courts to put in corrals which only leaves 24 lots within the entire City that would enjoy the benefits of the HR Zone. He drew attention to item #16, if the HR Zone is deleted they would still have the Residential Livestock Overlay Zone. This is another reasonable option rather than keeping a Zone for this small of an area in the City.

Commissioner Densmore stated it was close to 9:00 pm and it is the first time they have had a discussion regarding one of these zones recommended for deletion.

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Singletary, **TO DENY** Item 13 of Article V.

Mr. Gutierrez offered a compromise, in that the Residential Livestock (RL) Overlay Zone is proposed to be retained. This overlay zone can be applied to any single family residential zone with large lots. Rather than keep a zone such as the HR Zone that would only apply to 24 lots in the City and if the RL Overlay Zone is kept, it can be applied to this property or any property that would want to keep animals. He the Commission is concerned about Ruth Way and would like to preserve the animal keeping rights, he would suggest applying the RL Overlay Zone. This overlay can also be applied to other properties in the area.

Commissioner Densmore noted that this was Chair Leonard's suggestion but his question is if this is that simple, why wasn't it proposed in the beginning. This has been an option since this was begun and it came to the Commission as a Zone deletion. He asked whether or not the CC&Rs could be changed and noted that it is ultimately the decision of the residents. He is not saying that they cannot have animals but that as long as they don't want animals than the CC&Rs can apply. He wants to retain the resident's rights to change this. If Mr. Gutierrez' suggestion will accomplish this now and forever for these properties, he asked whether or not it would have any other affect if the HR Zone were deleted but applied the RL Overlay Zone. It would have the same affect on those properties and neighborhood and their rights to retain animal keeping in the future.

Mr. Gutierrez stated that he believed this to be true but asked the Commission for the opportunity to further research this.

Commissioner Densmore withdrew his motion and the 2<sup>nd</sup>, Commissioner Singletary, agreed.

## **B. ADJOURNMENT:**

Chair Leonard announced that due to the summer scheduled vacations the Commission will be meeting bi-weekly on the General Plan 2025. The next public hearing on the General Plan 2025 will be July 14 and July 28, 2005 at 6:00 pm.

The meeting was adjourned at 9:05 pm to the meeting of July 7, 2005 at 9:00 a.m.